

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

**Clerk's Minutes**

**Before the Honorable Chief Judge William P. Johnson**

**Case No.:** CR 18-3475 WJ

**Date:** April 10, 2019

**Parties:** USA v. Robert Dunsworth

**Courtroom Clerk:** R. Garcia

**Court Reporter:** M. Loughran

**Interpreter:** N/A

**Type of Proceeding:** Motion Hearing/ Appeal of Detention Order Hearing

**Place of Court:** Albuquerque

**Total time in Court:** 18 minutes

**Evidentiary Hearing:** No

**Attorneys Present for Plaintiff(s):**

Thomas Outler

**Attorneys Present for Defendant(s):**

Irma Rivas

**Proceedings:**

2:19 Court in session; counsel enter appearances; Pretrial Service Officer, Anthony Galaz, present; Defendant present.

Ms. Rivas addresses the Court in support of her client's Appeal of Magistrate Judge's Detention Order and for release based on the fact that there was no violence associated with the gun involved in this matter, nor was the gun found on his person; but rather, in the trailer where he lived with his wife; notes her client has mental and physical issues that make it difficult to be incarcerated; notes family ties are here in New Mexico; notes substance abuse problems can be better addressed upon release; notes her client earns a living as an artist, but does have other financial resources available to him; requests release to halfway house.

2:26 PTSO Galaz addresses the Court; recommends continued detention based on failures to appear, a pattern of violent criminal history, and possession of weapons indicating a willingness to use violence.

2:27 Mr. Outler addresses the Court in opposition to release based on history of violence, gun possession, and failure to comply with court procedures.

2:29 Ms. Rivas replies; notes her client is willing to be under electronic GPS monitoring and to follow the rules and orders of the Court.

2:30 The Court, based on its review of record and the Pretrial Services Report, finds the Defendant to be a danger to the community and a flight risk; therefore, the Court denies Defendant's Appeal of the Magistrate Judge's Detention Order; Defendant shall remain in the custody of the U.S. Marshal pending trial or further order of the Court.

2:37 Court in recess.